



# UNITED STATES PATENT AND TRADEMARK OFFICE


UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/749,673	12/30/2003	L. Robin Johnson	003A.0082.U2(US)	1423
29683	7590	10/20/2004	EXAMINER	
HARRINGTON & SMITH, LLP			GILMAN, ALEXANDER	
4 RESEARCH DRIVE			ART UNIT	
SHELTON, CT 06484-6212			PAPER NUMBER	

2833

DATE MAILED: 10/20/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 10/749,673	Applicant(s) JOHNSON ET AL.	
	Examiner Alexander D Gilman	Art Unit 2833	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 30 December 2003.
- 2a) ☐ This action is FINAL.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 12-40 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) 31-39 is/are allowed.
- 6) ☒ Claim(s) 12-17, 21-24 and 28-30 is/are rejected.
- 7) ☐ Claim(s) 18-20, 25-27 is/are objected to.
- 8) ☐ Claim(s) 40 are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |                                                                                                                                                 |                                                                                         |
|-------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                                                     | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                                            | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>12/30/2004</u> . | 6) <input type="checkbox"/> Other: _____                                                |

Art Unit: 2833

**DETAILED ACTION*****Election/Restrictions***

Restriction to one of the following inventions is required under 35 U.S.C. 121:

- I. Claims 12-39, drawn to electrical connector, classified in class 439;
- II. Claim 40, drawn to method of assembling of the electrical connector, classified in class 29.

The inventions are distinct, each from the other because of the following reasons:

Inventions II and I are related as process of making and product made. The inventions are distinct if either or both of the following can be shown: (1) that the process as claimed can be used to make other and materially different product or (2) that the product as claimed can be made by another and materially different process (MPEP § 806.05(f)). In the instant case for assembling the connector, as claimed, it is not necessary to locate solder balls attached to second ends of the contacts into pockets in the housing. Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.

During a telephone conversation with Mark Harrington on 10/08/2004 a provisional election was made without traverse to prosecute the invention of product made, claims 12-39. Affirmation of this election must be made by applicant in replying to this Office action. Claim 40 withdrawn from further consideration by the examiner, 37 CFR 1.142(b), as being drawn to a non-elected invention.

***.Double Patenting***

The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. See *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and, *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent is shown to be commonly owned with this application. See 37 CFR 1.130(b).

Art Unit: 2833

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

Claims 12,13, 21, 28 rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1, 17 of U.S. Patent No. 6,699,048. Although the conflicting claims are not identical, they are not patentably distinct from each other because all of the limitations of the application's claims 12,13,21,28 presented in the respective claims of the patent.

***Claim Rejections - 35 USC § 102***

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 12, 28-30 are rejected under 35 U.S.C. 102(b) as being anticipated by Marvin et al.

With regard to claim 12, Marvin et al (US 5,415,561) disclose an electrical connector comprising:  
a housing (110);  
electrical contacts mounted to the housing (140, 143); and  
a protection member (150) connected to the housing, wherein the electrical contacts extend through openings in the protection member, wherein the protection member is located in a cavity inside the housing and has a lateral side which is directly snap-lock (using 155) mounted to an inward facing side of the housing in the cavity.

Claims 12, 13, 28-30 are rejected under 35 U.S.C. 102(b) as being anticipated by Sawada et al.

With regard to claim 12, Sawada et al (US 5,618,206) disclose an electrical connector comprising:

Art Unit: 2833

a housing (29);

electrical contacts(51) mounted to the housing); and

a protection member (25) connected to the housing, wherein the electrical contacts extend through openings in the protection member, wherein the protection member is located in a cavity inside the housing and has a lateral side which is directly snap-lock (using 41) mounted to an inward facing side of the housing in the cavity.

With regard to claim 13, Sawada et al disclose that the protection member comprises a support lattice (43).

With regard to claim 28, Sawada et al disclose an electrical connector comprising:

a housing (29) having a cavity;

electrical contacts (51)mounted to the housing; and a protection member (25)connected to the housing inside thecavity, the protection member comprising a plurality ofopenings (45) into which the electrical contacts extend,

wherein a stationary connection is provided between the protection member and the receptacle housing inside the cavity, wherein the protection member comprises upper spaced projections (47) adjacent each of the openings, and wherein the upper projections are located at least partially between the openings.

With regard to claim 29, Sawada et al disclose that the stationary connection comprises a snap lock connection (using 41) between the protection member and the receptacle housing inside the cavity.

With regard to claim 30, Sawada et al disclose that the snap lock connection comprises a snap lock connection between an outer side edge of the protection member and an inner side of at least one lateral wall of the housing.

Claims 21-24 are rejected under 35 U.S.C. 102(b) as being anticipated by Gehrke et al .

With regard to claim 21, Gehrke et al (US 6,095,860) disclose an electrical connector comprising:

a housing (1) ;

electrical contacts (not shown) mounted to the housing; and

Art Unit: 2833

a protection member (4,5) connected to the housing, wherein the protection member comprises a support lattice (4) with openings through the support lattice, and wherein the electrical contacts extend through the openings and do not extend above a top of the protection member (the contacts should be below surface 7 in Fig. 2).

With regard to claim 22, Gehrke et al disclose that the protection member comprises top projections (forming 10) extending from the support lattice (4).

With regard to claims 23 and 24, Gehrke et al disclose that the projections are located at each of the openings and the protection member (portion 5) comprises four of the projections at each of the openings.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 12-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gehrke in view of Marvin et al .

With regard to claim 12, Gherke et al disclose an electrical connector comprising:

a housing (1);

electrical contacts(not shown) mounted to the housing; and

a protection member (4, 5) connected to the housing, wherein the electrical contacts extend through openings in the protection member, wherein the protection member is located in a cavity inside the housing and has a lateral side which is directly snap-lock mounted to an inward facing side of the housing in the cavity.

Gehrke et al explicitly do not disclose that the lateral side of the protection member being directly snap-lock mounted to an inward facing side of the housing in the cavity.

Marvin et al disclose (see the 102 rejection over Marvin) that limitation

Art Unit: 2833

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to snap-lock mount the protection member to an inward facing side of the housing., as taught by Marvin et al , to dependably and quickly fix the protection member to the housing..

With regard to claim 13, Gehrke when modified by Marvin et al disclose (Gehrke) that the protection member comprises a support lattice (4).

With regard to claim 14, Gehrke when modified by Marvin et al disclose (Gehrke) that the protection member comprises top projections (elements forming 10) extending from the support lattice.

With regard to claim 15, Gehrke when modified by Marvin et al disclose (Gehrke) that projections are located at each of the openings.

With regard to claim 16, Gehrke when modified by Marvin et al disclose (Gehrke) that the electrical contacts do not extend above the top projections (as it follow from Fig. 2, since the cone configuration of 10 assuming it).

With regard to claim 17, Gehrke when modified by Marvin et al disclose (Gehrke) that the protection member comprises four of the projections at each of the openings (the components forming 10).

***Allowable Subject Matter***

Claims 31-39 are allowed

Claims 18-20, 25-27, are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

No prior art has been found to anticipate or render obvious the presently claimed subject matter. Specifically, none of the prior art of record discloses the combination of the limitations presented including

Art Unit: 2833

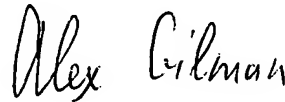
the projections each comprising a central portion and two side portions, and wherein the side portions are located at opposite sides the central portion and at opposite respective ends of the central portion (claims 18, 25, 31).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alexander D Gilman whose telephone number is 571 272-2004. The examiner can normally be reached on Monday-Friday, 10:30 a.m. - 8:00 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paula A. Bradley can be reached on 571 272-2800 ext. 33. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

10/07/2004



**ALEXANDER GILMAN**  
**PRIMARY EXAMINER**